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DATE: *January 9, 2006*Bingham McCutchen LLP
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	NAME	FAX	PHONE
TO:	M/S: Amendment Commissioner for Patents	571-273-8300	

FROM:	Maritza D. Kidd maritza.kidd@bingham.com	(650) 849-4800	(650) 849-4481
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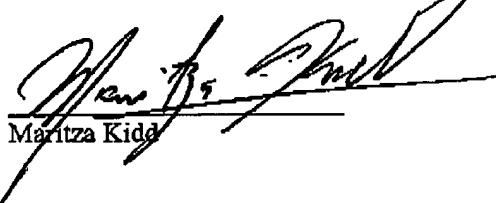
PAGES: (INCLUDING THIS COVER PAGE): 14

RE: Amendment and Response Appl S/N: 10/726,336

MESSAGE:

PLEASE DELIVER TO EXAMINER **Gordon J. Stock, Jr.**
Re: US Application Serial No. 10/726,336

I hereby certify that a Response to Non-Compliant Amendment (11 pages); and transmittal (2 pages) is being submitted to the United States Patent and Trademark Office on the date above. Please confirm receipt via facsimile. Thank you.



Maritza Kidd

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Timekeeper No:	23258	Client/Matter No:		DATE/TIME STAMP
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PA/52175984.1

JAN 09 2006

Docket 2024738-7030163001
CYM-032CON (11.015012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

David J. Zahniser, et al

Serial No.: 10/726,336

Filed: December 1, 2003

For: CYTOLOGICAL IMAGING SYSTEM
AND METHOD

Group Art Unit: 2877

Confirmation No.: 5486

Examiner: Gordon J. Stock, Jr.

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT TRANSMITTAL

M/S: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in response to notice of Non-Compliant Amendment, mailed on January 4, 2006, for the above-identified application, are the following:

- ☒ Response to Non-Compliant Amendment (11 pages)
- ☒ Transmittal with Certificate of facsimile (37 CFR §1.6) (2 pages)

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. §1.6 (d))


I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number at: (571) 273-8300 addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 9, 2006
Date of facsimile transmissionMaritza Kidd
Name of Person transmitting Paper
[Signature]
Signature of Person transmitting Paper

PA/52175980.1

Docket 2024738-7030163001
CYM-032CON (11.015012)

- ☐ If any extension fee is required, please consider this a petition therefore.
- ☐ Charge Bingham McCutchen's Deposit Account No. 50-2518 in the amount of _____.
- ☒ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. 50-2518.

Dated: 1-9-06Respectfully submitted,
BINGHAM McCUTCHEN LLPBy: 
David T. Burse
Reg. No. 37,104BINGHAM McCUTCHEN LLP
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Docket 2024738-7030163001
CYM-032CON (11.015012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

David J. Zahniser, et al

Serial No.: 10/726,336

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**For: CYTOLOGICAL IMAGING SYSTEM
AND METHOD**

Group Art Unit: 2877

Confirmation No.: 5486

Examiner: Gordon J. Stock, Jr.

AMENDMENT AND RESPONSE TO OFFICE ACTION

M/S: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed January 4, 2006, Applicant hereby resubmits the section of the amendment document required under § 1.121.

A complete listing of the claims, including current amendments, begins on page 2.

Remarks begin on page 7.